



United States Department of the Interior  
FISH AND WILDLIFE SERVICE

Idaho Fish and Wildlife Office  
1387 S. Vinnell Way, Room 368  
Boise, Idaho 83709  
Telephone (208) 378-5243  
<http://www.fws.gov/idaho>



**MAR 11 2013**

Timothy J. Ream, Attorney  
Center for Biological Diversity  
351 California St. Suite 600  
San Francisco, CA 94104

**Subject:** Freedom of Information Act (FOIA) Regarding Section 10 Authorization  
Under The Endangered Species Act (ESA) and Idaho Fish and Game  
Permitted Recreational Trapping Effects on Lynx  
FWS-2014-00546

Dear Mr. Ream:

This letter concludes our response to your Freedom of Information Act (FOIA) request dated February 25, 2014 for the following documents:

Any and all records related to any discussion, plans, or efforts by the U.S. Fish and Wildlife Service or Idaho Department of Fish and Game ("IDFG") to obtain authorization pursuant to section 10 of the Endangered Species Act, 16 U.S.C. § 1539(a)(1)(B), for the "take" of any listed species from hunting and/or trapping that is regulated by IDFG, including but not limited to any "incidental take permit" for IDFG, whether actual or theoretical.

Any and all records relating to Fish and Wildlife Service's "follow up with the IDFG to determine the full extent of trapping and the potential impact on lynx due to permitted recreational trapping" as stated in the attached letter from the U.S. Fish and Wildlife Service's Idaho State Supervisor Brian Kelly. This includes but is not limited to non-target catches of lynx.

We have conducted a thorough search of our records and have located two records pertaining to State Supervisor Brian Kelly's letter. Those two records are being provided to you in full on the enclosed CD; no portions have been withheld. We did not locate any records pertaining to any discussions, plans, or efforts between IDFG and U. S. Fish and

Wildlife Service to address “take” of any listed species pursuant to section 10 of the Endangered Species Act from hunting and/or trapping that is regulated by IDFG. If you feel this response is a denial of your request, you may file an appeal by writing to:

Freedom of Information Act Appeals Officer  
Department of the Interior  
Office of the Solicitor  
1849 C Street, NW, MS 6556  
Washington, DC 20240

The FOIA Appeals Officer must receive your FOIA appeal no later than 30 workdays from the date of this final letter responding to your FOIA request. Appeals arriving or delivered after 5 p.m. E.T., Monday through Friday, will be deemed received on the next workday. You must include with your appeal copies of all correspondence between you and the bureau concerning your FOIA request, including a copy of your original FOIA request and this final response letter.

Failure to include this documentation with your appeal will result in the Department’s rejection of your appeal. The appeal should be marked, both on the envelope and the face of the letter, with the legend, “FREEDOM OF INFORMATION APPEAL.” Your letter should include in as much detail as possible any reason(s) why you believe the bureau’s response is in error.

As part of the 2007 FOIA amendments, the Office of Government Information Services (OGIS) was created to offer mediation services to resolve disputes between FOIA requesters and Federal agencies as a non-exclusive alternative to litigation. Using OGIS services does not affect your right to pursue litigation. You may contact OGIS in any of the following ways:

Office of Government Information Services  
National Archives and Records Administration  
Room 2510  
8601 Adelphi Road  
College Park, MD 20740-6001  
E-mail: [ogis@nara.gov](mailto:ogis@nara.gov)  
Telephone: 301-837-1996

As noted in my letter to you dated February 27, 2014 your fee waiver request was granted based upon the information you provided. Therefore, there is no charge to you for these records.

For your information, Congress excluded three discrete categories of law enforcement and national security records from the requirements of the FOIA. See 5 U.S.C. § 552(c) (2006 & Supp. IV (2010)). This response is limited to those records that are subject to the requirements of FOIA. This is a standard notification that is given to all requesters and should not be taken as an indication that excluded records do, or do not, exist.

If you have any questions, please contact Dennis Mackey of our office at (208) 378-5243.

Sincerely,

A handwritten signature in black ink, appearing to read "Russell R. Holden".A handwritten word "for" in black ink, written in a cursive style.

Michael Carrier, State Supervisor  
Idaho Fish and Wildlife Office

Enclosure